

## **ATTACHMENT B**

### **REMARKS**

By this Amendment, the Applicants without prejudice have amended the claims to be directed to the subject matter considered enabled and sufficiently defined by the Examiner, namely the isolated nucleic acid which encodes the polypeptide SEQ ID NO: 8, and the vector and host cell comprising said nucleic acid. Following the present Amendments, Claims 15, 16, 23 and 24 remain pending in the application. All other claims have been canceled or withdrawn, and thus this Amendment places the application in condition for allowance and should be entered for this purpose.

In the Final Rejection, the Examiner issued or maintained rejections with regard to Claims 15, 17, 19, 21, 23 and 24 on the basis of the written description requirement and on grounds of enablement. However, the Examiner conceded that an isolated nucleic acid coding for the sequence of SEQ ID NO: 8 satisfied the written description requirement and the enablement requirement, as would claims to the vector and host cell comprising said nucleic acid. Accordingly, without addressing the Examiner's previous rejections on these grounds, Applicants amend the claims without prejudice to the subject matter not considered objectionable by the Examiner, namely an isolated nucleic acid coding for SEQ ID NO: 8 (including nucleic acid sequence SEQ ID NO: 7), and an expression vector and host cell comprising said nucleic acid. The last remaining rejection, regarding the use of the term "polypeptide" in Claim 15, has also been obviated by the present amendments.

Upon entrance of the present amendments, the present application will thus be placed in condition for immediate allowance, and thus entrance of the amendment and allowance of the application is respectfully requested.

**END OF REMARKS**